IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 11877 of 2003

Between:

P. Bonus Reddy, s/o Sidda reddy
R/o Chengalapuram Road, Punganuru Mandal, chittoor District

..... PETITIONER

AND

1 The Superintending engineer (Operations) Southern Power Distribution Company of A.P., Ltd., Tirupathi, Chittoor District
2 The Asst. Engineer, southern Power Distribution Company of A.P., Ltd., chowdepalle Mandal, Chittoor District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in shifting the Place of installation of 100 Kv Transformer sanctioned under tatkal scheme vide 1st respondent's order Endt. No. SC/TPT/AY2/PS. 1/-22 D. NO. 1602/3 dated 07-02-2003 from the petitioner's lands situated in Sy. No. 913 of Burugupalli village, Aminigunta Gram panchayat, Chowdepalle Mandal, Chittoor District to another place as arbitrary, illegal with out jurisdiction and consequently direct the respondents to install the 100 KV Transformer forthwith at the originally sanctioned place with all consequential benefits.

Counsel for the Petitioner:MR.N.RUSHENDER REDDY

Counsel for the Respondents: MRS.M.VINOBHA DEVI (SC FOR APTRANSCO)

The Court made the following :

ORDER:

The grievance of the petitioner herein is that against the shifting of 100 KV transformer from his land and consequently he seeks interim direction not to shift the transformer but to install in his land only.

Having regard to the fact that such interim direction if granted would virtually amounts to allowing the writ petition. Further, in regard to the location or otherwise of the transformer is in the hands of concerned authorities and petitioner cannot have say in the matter, nor he can challenge the same. Therefore, I see no merits in this writ petition.

Accordingly, the writ petition is dismissed.

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19-07-2004

stv/**vs**

To

1 The Superintending engineer (Operations) Southern Power Distribution Company of A.P., Ltd., Tirupathi, Chittoor District
2 The Asst. Engineer, southern Power Distribution Company of A.P., Ltd., chowdepalle Mandal, Chittoor District

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